

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

NATHAN THOMPSON ENTERPRISES, INC., §
Plaintiff, §

v. §

PENSKE TRUCK LEASING CO., L.P. §
Defendant. §

Civil Action 5:22-cv-295

**NATHAN THOMPSON ENTERPRISES, INC.’S
UNOPPOSED MOTION FOR WITHDRAWAL AND SUBSTITUTION OF COUNSEL**

Comes now Plaintiff Nathan Thompson Enterprises, Inc. and files this, its Unopposed Motion for Withdrawal and Substitution of Counsel (“Motion”) and respectfully shows as follows:

1. Pursuant to Local Rule AT-3, Plaintiff hereby requests the Court to allow Merritt Clements and Jarrod Burns of Ray | Peña | McChristian, P.C., to withdraw as counsel of record for Plaintiff and that Brock A. Niederhofer of The Niederhofer Law Firm and Dustin Whittenburg of The Law Office of Dustin Whittenburg be substituted in as its new attorneys of record in this lawsuit.

2. Plaintiff has requested and approves this withdrawal and substitution. Plaintiff requests this withdrawal and substitution on grounds that it has elected to be represented by new counsel.

3. The following counsel will substitute in as counsel of record for Plaintiff:

Brock A. Niederhofer
State Bar No. 24096812
The Niederhofer Law Firm
1907 Summerwood Drive
San Antonio, Texas 78232
(210) 823-0748

and

Dustin Whittenburg
State Bar No. 24042151
The Law Office of Dustin Whittenburg
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4. The Motion is not sought for delay, and the relief requested will not affect any case deadlines or otherwise prejudice the Defendant.

5. Defendant does not oppose this Motion.

WHEREFORE, Plaintiff Nathan Thompson Enterprises, Inc. respectfully requests this Motion for Withdrawal and Substitution of Counsel be granted, and for such other and further relief to which it is entitled.

Respectfully Submitted,

RAY | PEÑA | MCCHRISTIAN, P.C.

By: /s/ Merritt Clements

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ATTORNEYS FOR PLAINTIFF
NATHAN THOMPSON ENTERPRISES, INC.

CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the above and foregoing document was filed electronically through the CM/ECF system, and a copy has been served on all known counsel of record on December 19, 2022, in accordance with the Federal Rules of Civil Procedure.

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